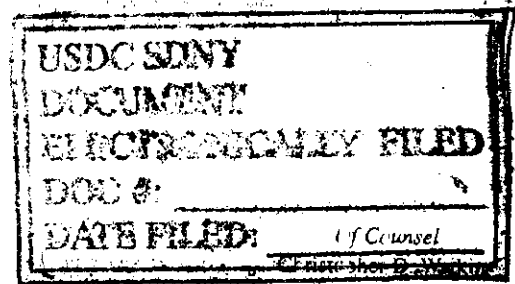


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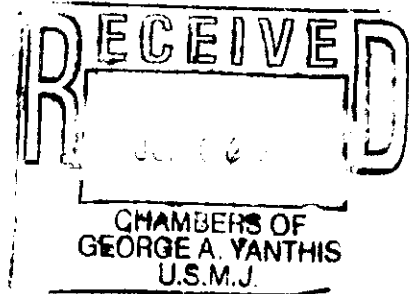


Stephen Bergstein
Helen G. Ulrich

MEMO ENDORSED

June 6, 2008

VIA FACSIMILE (914) 390-4095
Hon. George A. Yanthis
Southern District of New York
300 Quarropas Street
White Plains, New York 10601



Re: Melendez v. Red Cross
07 Civ. 8094 (KMK)

Dear Judge Yanthis:

The Court has scheduled a settlement conference for June 9, 2008. As a follow up to my conversation with Your Honor's clerk this morning, I am writing to advise that I do not think that the settlement conference would be productive as the parties are too far apart and I do not believe there is any possibility that the Court can narrow that gap. As I do not wish to waste the Court's time or that of the parties, I am requesting that the conference be canceled. I am writing this letter with the consent of counsel for defendants.

Very truly yours,

Stephen Bergstein

cc: Ann Moscow, Esq.
Fax (212) 661-0989

*Telephone conference, to be
initiated by plaintiff, shall take
place on June 24, 2008 at
9.30am*

6/9/08

SO ORDERED:

Hon. George A. Yanthis
United States Magistrate Judge.